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NOTES OF CASES.

Proof of Value.—*Morrow Transfer Co. v. Robinson*. (No. 2,788.) Court of Appeals of Georgia. Nov. 11, 1910. Syllabus by the Court. Value, whether actual or as regulated by the market, is largely a matter of individual estimate or opinion, and liberality should be allowed in the introduction of testimony to prove value. There are many elements and tests of value. Proof of cost, condition of the property when lost, value of similar property, prices at which similar articles are sold, uses to which the property is adapted, opinions of experienced dealers in such property, and opinions of experts, all have more or less probative value; and, in short, any testimony, direct or circumstantial, which tends to throw light on the subject, and which would enable the jury to arrive at a fair conclusion, is admissible as evidence in proof of value. *Peterson v. State*, 6 Ga. App. 491, 65 S. E. 311; *Atlanta Baggage & Cab Co. v. Mizo*, 4 Ga. App. 407, 61 S. E. 844; *Atlantic Coast Line R. Co. v. Harris*, 1 Ga. App. 667, 57 S. E. 1030; 16 Cyc. 1133, 1139, 1140, 1141.

Martin v. Martin, 68 S. E. 1095. Supreme Court of Georgia. Sept. 24, 1910, Syllabus by the Court. On the trial of an issue involving the value in bulk of a stock of merchandise and books of account and choses in action, the opinions of witnesses as to the value of the property are not conclusive upon the jury. *Bonds v. Brown*, 133 Ga. 451, 66 S. E. 156; *Jennings v. Stripling*, 127 Ga. 778 (3) 56 S. E. 1026, and citations; *Minchew v. Manhunta Lumber Co.*, 5 Ga. App. 154, 62 S. E. 716.

What Is an Original Promise under Statute of Frauds.—*Mize v. Mashburn*. (No. 2,774.) Court of Appeals of Georgia, Nov. 11, 1910. Syllabus by the Court. Young owed Mashburn an account for \$13.20, and Mize agreed with both Mashburn and Young that he (Mize) would pay this debt to Mashburn provided Young would work for Mize until he had earned a sufficient sum to pay the debt. In pursuance of this agreement Young did work for Mize until Mize owed him enough to pay his debt to Mashburn. Held, that the promise of Mize to pay Young's debt was not within the statute of frauds, but by agreement Mize became the debtor by substitution, and Young had fully performed. *Howell v. Field*, 70 Ga. 592 (1); *Bohannon v. Jones*, 30 Ga. 488; *Anderson v. Tucker & Whitehead*, 55 Ga. 278.

Proof of Other Crimes.—*Lee v. State*. (No. 2,858.) Court of Appeals of Georgia. No. 11, 1910. Syllabus by the Court. While the general rule is that proof of other crimes committed by the defendant is not admissible in a criminal prosecution, still the general rule has many general exceptions. Proof of other crimes is never admissible